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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,	)	No. CR-07-0040 WHA
	)	
12 Plaintiff,	)	STIPULATION AND [ <del>PROPOSED</del> ]
	)	ORDER FOR BRIEFING SCHEDULE
13 vs.	)	
	)	
14 DASHAWN JULIAN,	)	
	)	
15 Defendant.	)	
_____	)	
16		

17 On June 12, 2008, Deshawn Julian filed a *pro se* motion for a reduced sentence in light of  
18 the retroactive reduction in the crack cocaine guideline ranges. Mr. Julian requested assistance  
19 from the Federal Public Defender's Office. The undersigned Assistant Federal Public Defendner  
20 has reviewed the relevant documents in Mr. Julian's case, as well as a transcript of the January  
21 15, 2008, sentencing hearing before this Court. Counsel has conferred with counsel for the  
22 government, and requests the following briefing schedule: Superseding motion on behalf of Mr.  
23 Julian, Tuesday January 13; Government Opposition February 10; Reply on behalf of Mr. Julian  
24 February 17, Hearing February 24. The reasons for the delayed schedule are (1) the Federal  
25 Public Defender's Office has had extreme and, in counsel's experience, highly unusual delays in  
26 communicating with Mr. Julian. It appears that Mr. Julian is either not receiving all of the letters

1 from counsel, or that they are being delayed by a month or more. Counsel has been unable to  
2 determine the reason for these unusual delays. (2) Counsel from the Federal Public Defender's  
3 Office has a Ninth Circuit appellate brief to write in December as well as two other briefs, and  
4 will be unavailable the last week in December. Counsel can research and write Mr. Julian's brief  
5 in early January, but will be unavailable the week of February 2 - 6. (3) The Speedy Trial Act  
6 does not apply in this case. (4) According to [www.bop.gov](http://www.bop.gov), Mr. Julian's projected release date is  
7 December 6, 2017.

8 SO STIPULATED AND REQUESTED.

9 December 4, 2008

/S/

10 \_\_\_\_\_  
Date

\_\_\_\_\_  
Rebecca Sullivan Silbert  
Assistant Federal Public Defender  
Counsel for Dashawn Julian

12 December 4, 2008

/S/

13 \_\_\_\_\_  
Date

\_\_\_\_\_  
Drew Caputo  
Assistant United States Attorney

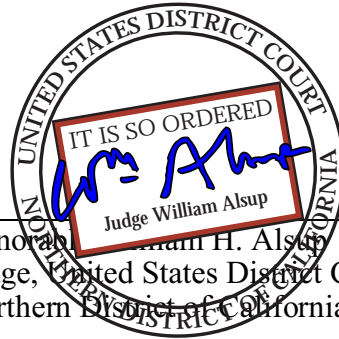
15 I hereby attest that I have on file all holograph signatures for any signatures indicated by a  
16 "conformed" signature (/S/) within this e-filed document.

**ORDER**

In accordance with the above stipulation, the Court hereby ORDERS the following briefing schedule on Mr. Julian's Motion for Resentencing:

Superseding Motion: January 13, 2009  
Government Opposition: February 10, 2009  
Reply: February 17, 2009  
Hearing: February 24, 2009  
December 5, 2008

Date



Honorable William H. Alsup  
Judge, United States District Court  
Northern District of California